

**AUSTIN CITY COUNCIL  
MINUTES****REGULAR MEETING  
THURSDAY, OCTOBER 2, 2008**

**Invocation:** Rev. H. E. Calahan, Pastor, Agape Baptist Church

The following represents the actions taken by the Austin City Council in the order they occurred during the meeting. While the minutes are not in sequential order, all agenda items were discussed. The City Council of Austin, Texas, convened in a regular meeting on Thursday, October 2, 2008 in the Council Chambers of City Hall, 301 West Second Street, Austin, Texas.

Mayor Wynn called the Council Meeting to order at 10:23 a.m.

**Announcement of future agenda items from Council:**

Council Member Morrison announced on October 16, 2008 staff will do a briefing on the Family and Children's Task Force so Council can move forward with some of the recommendations.

Council Member Martinez discussed a flaw in the Council agenda process because an interlocal agreement with Travis County was adopted at the September 25, 2008 Council Meeting without backup. Council Member Martinez will work with the City Manager on process improvements and bring forth code amendments, if needed.

Mayor Wynn announced on October 16, 2008 the Live Music Task Force and the Street Closure Task Force will report to Council. Council will receive an update and determine if there is a need for an extension.

**CONSENT AGENDA**

The following items were acted on by one motion. No separate discussion or action occurred on any of the items. The consent items were approved on Council Member Martinez' motion, Council Member Morrison's second on a 7-0 vote.

1. Approve the minutes of the Austin City Council September 25, 2008 Regular meeting.  
The minutes from the meeting of September 25, 2008 were approved.
2. Approve Service Extension Request No. 2777 for wastewater service not to exceed an Estimated Peak Wet Weather Flow of 3 gallons per minute (gpm) for LINDA MOODY, the owner of a property containing one (1) Single-Family Residence with one (1) ancillary structure and one (1) guest house, a total of three (3) structures located within the Drinking Water Protection Zone in the City's Limited Purpose jurisdiction at 1401 ALLEN RD. There is no unanticipated fiscal impact. Recommended by the Water and Wastewater Commission.  
The motion authorizing service extension request number 2777 was approved.

3. Authorize negotiation and execution of a construction contract with LAMBDA CONSTRUCTION I, LTD, New Braunfels, TX, for the Justin Lane Substation in an amount not to exceed \$1,955,404. Funding in the amount of \$1,955,404 is available in the Fiscal Year 2008-2009 Capital Budget of Austin Energy. Lowest bid of four bids received. This contract will be awarded in compliance with Chapter 2-9A of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) through the achievements of Good Faith Efforts with 19.51% MBE and 0.49% WBE subcontractor participation. Recommended by the Electric Utility Commission.  
**The motion authorizing the negotiation and execution of a construction contract with Lambda Construction I, Ltd was approved.**
4. Approve an ordinance establishing classifications and positions in the classified service of the Austin Fire Department and repeal Ordinance No. 080908-7. This ordinance also establishes base salary and longevity by the attached pay scales. Funding is included in the Fiscal Year 2008-2009 Operating Budget of the Austin Fire Department.  
**Ordinance No. 20081002-004 was approved.**
5. Authorize negotiation and execution of an Interlocal Agreement for Fire Protection Services between the City of Austin and the City of Sunset Valley under which Austin will provide fire protection and emergency service response to the full purpose and extra-territorial jurisdiction of the City of Sunset Valley for a period of one year beginning October 1, 2008, with options to renew for up to three one year terms. The City of Sunset Valley shall pay Austin an amount to be determined by multiplying the current fiscal year assessed valuation of Sunset Valley by the fire protection tax rate. Anticipated Revenue for Fiscal Year 2008-2009 is \$445,000. Fiscal Year 2009-2010 revenue is anticipated to be \$455,000.  
**The motion authorizing the negotiation and execution of an interlocal agreement between the City of Austin and the City of Sunset Valley was approved.**
6. Authorize negotiation and execution of an Interlocal Agreement with the Austin Independent School District for the City of Austin Health and Human Services Department to provide certain health screenings and health education to students at LBJ High School for a term of nine months beginning October 1, 2008.  
**The motion authorizing the negotiation and execution of an interlocal agreement with the Austin Independent School District was approved.**
7. Approve execution of a three-month extension of the Interlocal Agreement with Travis County under which the City of Austin provides public health services, including animal control and shelter services, to Travis County for a term beginning October 1, 2008, in exchange for compensation in the amount of \$658,349. Funding from Travis County in the amount of \$2,967,883 was included in the Fiscal Year 2008-2009 Budget of the Health and Human Services Department General Fund. The term of the agreement is for the period October 1, 2008 through December 31, 2008.  
**The motion authorizing the execution of an extension of the interlocal agreement with Travis County was approved.**
8. Authorize the negotiation and execution of a 12-month contract with the Urban Renewal Agency of the City of Austin in an amount not to exceed \$277,350, with four optional 12-month extension periods in an amount not to exceed; \$43,350 for the first extension period; \$38,350 for the second extension period; \$28,350 for the third extension period; and \$13,350 for the fourth extension period, for a total contract amount not to exceed \$400,750 for organizational expenses, property maintenance and the stabilization of structures eligible for historic designation; and approve extension of the current contract with the URA to December 1, 2008 to complete the negotiation and execution of the new contract. Funding is available in Fiscal Year 2008-2009 Neighborhood Housing and Community Development Office 34th Year

Community Development Block Grant, East 11th & 12th Streets Redevelopment Program. Funding is subject to Environmental Review and Fund Release; and future funds are based on funding availability.

The motion authorizing the negotiation and execution of a contract with the Urban Renewal Agency was approved.

Item 9 was pulled for discussion.

Item 10 was pulled to be heard after the related Executive Session item.

11. Authorize the City Manager to apply for a \$200,000 Brownfields Assessment Community-Wide Petroleum grant offered by the U.S. Environmental Protection Agency. Funding in the amount of \$200,000 from the U.S. Environmental Protection Agency over three years beginning Fiscal Year 2009 through 2012.

The motion authorizing the City Manager to apply for a Brownfields Assessment Community-Wide Petroleum grant was approved.

12. Approve appointments to citizen board and commissions, to Council subcommittees and other intergovernmental bodies and removal and replacement of members.

The following appointments were made:

**Board**

**Nominated By:**

Animal Advisory Commission

Dr. Ellen Jefferson

Mayor Wynn

Austin Airport Advisory Commission

Bradford "Brad" Hughes

Council Member Morrison

Environmental Board

John Dupnik

Mayor Pro Tem McCracken

Resource Management Commission

Amy Hardberger

Council Member Morrison

Travis Central Appraisal District Board of Directors

Approve a resolution reappointing Eleanor Powell to the Travis Central Appraisal District Board of Directors and ratifying the reappointment of Blanca Zamora-Garcia to the Travis Central Appraisal District Board of Directors.

Resolution No. 20081002-012 was approved.

Item 13 was pulled for discussion.

14. Approve a resolution directing Austin Energy to provide \$145,000 to the Downtown Austin Alliance for the purchase and installation of an LED holiday light system to be fully operational for the 2008 holiday season. (Council Member Sheryl Cole Mayor Will Wynn Council Member Lee Leffingwell)

Resolution No. 20081002-014 was approved.

15. Approve waiver of certain park rental fees for the American Diabetes Association's Step Out to Fight Diabetes Walk 5K to be held on November 15, 2008 at Fiesta Gardens. (Mayor Pro Tem Brewster McCracken Council Member Sheryl Cole Council Member Laura Morrison)

The motion for waiver of certain park rental fees was approved.

35. Approve a resolution directing the City Manager to work with "Tonic LLC" to determine the feasibility of a concession for a Carbon Neutral Gym in conjunction with an existing suitable Park or trail system. (Council Member Mike Martinez Council Member Randi Shade )  
Resolution No. 20081002-035 was approved.

Item 16 was an Executive Session item.

Items 17 through 19 were briefing items set for 2:00 p.m.

Item 20 was a briefing item set for 4:00 p.m.

Items 21 through 26 were zoning items set for 4:00 p.m.

Items 27 through 34 were public hearing items set for 6:00 p.m.

Item 35 was an addendum item

Mayor Wynn recessed the Council Meeting to go into Executive Session at 10:44 a.m.

#### EXECUTIVE SESSION

The City Council went into Executive Session, pursuant to Chapter 551 of the Texas Government Code, to receive advice from Legal Counsel, to discuss matters of land acquisition, litigation, and personnel matters as specifically listed on this agenda and to receive advice from Legal Counsel regarding any other item on this agenda.

16. Discuss legal issues relating to a development agreement establishing use and site development regulations for Austin Community College. (Private Consultation with Attorney - Section 551.071). Related to Item #10.

Executive Session ended and Mayor Wynn called the Council Meeting back to order at 12:05 p.m.

#### CITIZEN COMMUNICATIONS: GENERAL

Nailah Sankofa -- State of Affairs of Black Artists in Austin; Affordable Housing. She was not present when her name was called.

Jennifer Gale -- Declaration of the intent to run for our Austin City Council on November 11th

Gus Pena -- To Discuss City Issues. He was not present when his name was called.

Susana Almanza -- Relocate PURE CASTING- Build Affordable Housing

Diana Perez -- Protect our Children! Relocate Pure Casting! Build Affordable Housing! The City Manager was directed to look at the city's regulations and laws that we have local, state or federal in terms of environmental protections and public health protections. Investigate all potential avenues that there might be in terms of working to look at the public health impacts of the environmental impacts.

Paul Avina -- Prostitution

Paul Robbins -- City Issues. He was not present when his name was called.

Sharon Blythe -- Austin Memorial Park Cemetery

Akwasi Evans -- Economic Reciprocity. He was not present when his name was called.

Cynthia Valadez -- Respect and protocol between City Hall and the Community

Mayor Wynn recessed the Council Meeting to go into Executive Session at 12:34 p.m.

#### **EXECUTIVE SESSION CONTINUED**

The Mayor announced that Council would discuss item number 13 on the regular agenda during Executive Session.

Executive Session ended and Mayor Wynn called the Council Meeting back to order at 2:30 p.m.

#### **BRIEFINGS**

17. Staff presentation related to Domain Project contract compliance review and additional contract requirements.  
The presentation was made by Rodney Gonzales, Acting Director of Economic Growth and Redevelopment Services.
18. Staff presentation related to impact of Proposition Two (Stop Domain Subsidies) on the City's existing contract obligations.  
The presentation was made by Jim Cousar, Thompson & Knight LLP.
19. Briefing on recommendations regarding crane safety inspections and operator certification.  
The presentation was made by Leon Barba, Assistant Director of Watershed Protection and Development Review.

#### **DISCUSSION ITEMS CONTINUED**

10. Approve an ordinance approving an agreement with the Austin Community College District to establish use and site development standards for certain improvements at the Rio Grande campus, generally located at 12th and Rio Grande Streets. Related to Item #16.  
Ordinance No. 20081002-010 was approved with the following amendments on Council Member Leffingwell's motion, Council Member Martinez' second on a 7-0 vote. The amendments to the development agreement are as follows.

Section 1.1 should read, "Application. All current and future activities by ACC in connection with the construction or the expansion of the gymnasium building and parking garage described in Article 3 hereof, shall be subject to the terms of this Agreement, unless the parties expressly agree otherwise in a separate written agreement, or unless otherwise elected by ACC pursuant to the terms of Section 5.2 below. For the parking garage and gymnasium, ACC shall be subject to other City of Austin ordinances and regulations regarding planning, building code, and land use regulation, which have not been modified directly, indirectly or by implication by the terms of this Agreement. Nothing in this Agreement is intended to diminish, reduce, or waive any rights or

immunities to which ACC is entitled under applicable law, regarding development not addressed by this agreement.”

Section 1.4 should read, “Coordinated use of Parking Garage. ACC and the City will endeavour to establish an agreement between ACC, the City, and the Austin Independent School District that will allow for the greatest practical use of the parking garage described in Article 3 of this Development Agreement. The agreement for parking garage use may include allowing reasonable use of the parking garage by the City and the Austin Independent School District at designated times.”

Section 3.2 should read, “Parking Garage

a. Building Set Back. The minimum street sideyard set back requirement applicable to the Parking Garage structure is 6 feet.

b. Height Limitation. The height limitation applicable to the Parking Garage under zoning and compatibility standards is seventy-five (75) feet measured from the highest level of the ground to the floor level of the top floor of the garage. Parapet walls and shade structures on the top floor are permitted and will not be taken into account in measuring the height of the Parking Garage.”

13. Approve a resolution directing the City Manager to delay the Summary Judgment hearing pertaining to the lawsuit filed against the City of Austin by Savetownlake. (Council Member Mike Martinez Council Member Lee Leffingwell Council Member Laura Morrison)  
Resolution No. 20081002-013 as amended was approved on Council Member Martinez’ motion, Council Member Leffingwell’s second on a 7-0 vote.

Mayor Wynn recessed the Council Meeting at 3:26 p.m.

Mayor Wynn called the Council Meeting back to order at 4:00 p.m.

#### **DISCUSSION ITEM CONTINUED**

9. Approve an ordinance consenting to the annexation of approximately 0.7 acres into the Senna Hills Municipal Utility District ("MUD"), and approving the Third Amendment to the Senna Hills MUD Consent Agreement which amends the MUD Land Plan to include the 0.7 acre tract, and approving continued provision of water service to the annexed area by the Lower Colorado River Authority. (No unanticipated fiscal impact.) Recommended by Planning Commission and Water and Wastewater Commission.  
This item was withdrawn.

#### **BRIEFING**

20. CD-2008-0007 - Development Assessment of West Park Planned Unit Development, located at 7800-8022 West U.S. Highway 290 (except 7912 West U.S. Highway 290), within Williamson Creek Watershed - Barton Springs Zone.  
The presentation was made by Greg Guernsey, Director of Neighborhood Planning and Zoning Department; Dowe Gullatt of Clark, Thomas & Winters; and Paul Linehan of Paul Linehan & Associates.

#### **ZONING CONSENT ITEMS**

The following zoning items were acted on by one motion. No separate discussion or action occurred on any of the items. The consent items were approved on Council Member Leffingwell's motion, Council Member Morrison's second on a 5-0 vote. Mayor Pro Tem McCracken and Council Member Shade were off the dais.

21. NPA-2008-0016.01 - Govalle/Johnston Terrace Combined Neighborhood Planning Area Vertical Mixed Use Building (V) Zoning Opt-in/Opt-Out Process - Approve second/third readings of an ordinance amending Ordinance Nos. 030327-12, the Govalle/Johnston Terrace Combined Neighborhood Plan, an element of the Austin Comprehensive Plan, to change the land use designation on the Future Land Use Map from commercial and office to mixed use and mixed use/office on selected tracts within the Vertical Mixed Use Overlay district within the area bounded by the Austin and Northwestern Railroad on the north; U.S. 183 on the east; the Colorado River on the south, and Pleasant Valley Road and Webberville Road on the west (East Boggy Creek, Tannehill Creek, Colorado River and Fort Branch watersheds). First reading approved on August 21, 2008. Vote: 6-1 (Morrison-nay). Applicant and Agent: Neighborhood Planning and Zoning Department. City Staff: Melissa Laursen, 974-7226.  
**This item was postponed to November 6, 2008 at the staff's request.**
22. C14-2007-0259 - Govalle/Johnston Terrace Combined Neighborhood Planning Area Vertical Mixed Use Building (V) Zoning Opt-in/Opt-Out Process - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by applying Vertical Mixed Use Building (V) zoning regulations to certain tracts within the Govalle/Johnston Terrace Combined Neighborhood Planning Area, bounded by Pleasant Valley and Webberville Roads on the west; Oak Springs, Airport Boulevard, and the Austin Northwestern Railroad on the north; U.S. 183 on the east; and the Colorado River on the south (East Boggy Creek, Tannehill Creek, Colorado River and Fort Branch watersheds). Regulations governing Vertical Mixed Use Building dimensional standards; allowable uses for a Vertical Mixed Use Building in office base district zoning; relaxed parking standards for commercial uses in a Vertical Mixed Use Building; and affordability requirements for Vertical Mixed Use Building developments will be considered for adoption. The Austin City Council may consider adopting all or some of these regulations, or amending the Vertical Mixed Use (VMU) overlay district to exclude properties within the Govalle/Johnston Terrace Combined Neighborhood Planning Area from the overlay district. First reading approved on August 21, 2008. Vote 6-1 (Morrison-nay). Applicant and Agent: Neighborhood Planning and Zoning Department. City Staff: Melissa Laursen, 974-7226.  
**This item was postponed to November 6, 2008 at the staff's request.**
23. C14-2008-0060 - Zilker Neighborhood Planning Area Vertical Mixed Use Building (V) Zoning Opt-in/Opt-Out Process - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by applying Vertical Mixed Use Building (V) zoning regulations to certain tracts within the Zilker Neighborhood Planning Area, bounded by Lady Bird Lake on the north; the Union Pacific Railroad, West Oltorf Street and South Lamar Boulevard on the east; Barton Skyway on the south; and Robert E. Lee Road, Rabb Road, and Rae Dell Avenue on the west (Bouldin Creek, Town Lake, Barton Creek-Barton Springs Zone Watersheds). Regulations governing Vertical Mixed Use Building dimensional standards; allowable uses for a Vertical Mixed Use Building in office base district zoning; relaxed parking standards for commercial uses in a Vertical Mixed Use Building; and affordability requirements for Vertical Mixed Use Building developments will be considered for adoption. The Austin City Council may consider adopting all or some of these regulations, or amending the Vertical Mixed Use (VMU) overlay district to exclude certain properties within the boundaries of the Zilker Neighborhood Planning Area from the overlay district. First Reading approved on August 28, 2008. Vote: 7-0. City Staff: Melissa Laursen, Neighborhood Planning and Zoning Department, 974-7226.  
**This item was postponed to October 16, 2008 at the staff's request.**

#### ZONING CONSENT ITEMS

The following zoning items were acted on by one motion. No separate discussion or action occurred on any of the items. The public hearings were closed and consent items were approved on Council Member Cole's motion, Council Member Morrison's second on a 5-0 vote. Mayor Pro Tem McCracken and Council Member Shade were off the dais.

24. NPA-2008-0013.01 -- 706 West Oltorf Street -- Conduct a public hearing and approve an ordinance amending Ordinance No. 020523-32, the Bouldin Creek Neighborhood Plan, an element of the Austin Tomorrow Comprehensive Plan, to change the land use designation on the future land use map (FLUM) from high-density single-family to mixed-use office for the property located at 706 West Oltorf Street (East Bouldin Creek Watershed). Staff Recommendation: To deny the mixed-use office land use designation. Planning Commission Recommendation: To deny the mixed-use office land use designation. Applicant/Agent: Mr. Scott Ogle. City Staff: Jacob Browning, 974-7657.  
**This item was postponed indefinitely and withdrawn from the agenda.**
25. C14-2008-0164 - 2.456 acres adjacent to Slaughter Lane Substation - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1021-1111 West Slaughter Lane (Slaughter Creek Watershed) from development reserve (DR) district zoning to public (P) district zoning. Staff Recommendation: To grant public (P) district zoning. Zoning and Platting Commission Recommendation: To grant public (P) district zoning. Applicant and Agent: City of Austin, Austin Energy (Lena Lund). City Staff: Stephen Rye, 974-7604.  
**Ordinance No. 20081002-025 for public (P) district zoning was approved.**
26. C14-2008-0044.001 - Windsor Park Neighborhood Planning Area Vertical Mixed Use Building (V) Zoning Opt-in/Opt-Out Process - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by applying Vertical Mixed Use Building (V) zoning regulations 5701 Cameron Road and 1200 Ridgehaven Drive within the Windsor Park Neighborhood Planning Area (Tannehill Branch; Fort Branch Watersheds) from limited office-mixed use-neighborhood plan (LO-MU-NP) combining district zoning to limited office-mixed use-vertical mixed use building-neighborhood plan (LO-MU-V-NP) combining district zoning. Regulations governing Vertical Mixed Use Building dimensional standards; allowable uses for a Vertical Mixed Use Building in office base district zoning; relaxed parking standards for commercial uses in a Vertical Mixed Use Building; and affordability requirements for Vertical Mixed Use Building developments will be considered for adoption. The Austin City Council may consider adopting all or some of these regulations, or amending the Vertical Mixed Use (VMU) overlay district to exclude 5701 Cameron Road and 1200 Ridgehaven Drive from the overlay district. Planning Commission Recommendation: To exclude 5701 Cameron Road/1200 Ridgehaven Drive from the vertical mixed use (VMU) overlay district. Applicant and Agent: Neighborhood Planning and Zoning Department. City Staff: Minal Bhakta, 974-6453.  
**The first reading of the ordinance to exclude 5701 Cameron Road/1200 Ridgehaven Drive from the vertical mixed use (VMU) overlay district was approved.**

Mayor Wynn recessed the Council Meeting at 5:10 p.m.

### LIVE MUSIC

The Greyhounds

### PROCLAMATIONS

Mayor Wynn called the Council Meeting back to order at 6:05 p.m.



**PUBLIC HEARINGS AND POSSIBLE ACTION**

27. Conduct a public hearing to consider comments on issues related to the full purpose annexation of the Las Cimas Annexation Area (Approximately 83 acres in Travis County southwest of the intersection of Loop 360 and FM 2244).  
**The public hearing was closed on Council Member Martinez' motion, Council Member Leffingwell's second on a 4-0 vote. Mayor Pro Tem McCracken and Council Members Cole and Shade were off the dais.**
28. Conduct a public hearing to consider comments on issues related to the full purpose annexation of the RM 620 Commercial Annexation Area (Approximately 48 acres in Williamson and Travis Counties south of Anderson Mill Road on both east and west sides of RM 620).  
**The public hearing was closed on Council Member Martinez' motion, Council Member Leffingwell's second on a 5-0 vote. Mayor Pro Tem McCracken and Council Member Shade were off the dais.**
29. Conduct a public hearing to consider comments on issues related to the full purpose annexation of the Anderson Mill Road & RM 620 Right-of-way (ROW) Annexation Area (Approximately 35 acres in Williamson and Travis Counties west of the intersection of Anderson Mill Road and U.S. 183 and north of the intersection of Anderson Mill Road and RM 620)  
**The public hearing was closed on Council Member Morrison's motion, Council Member Cole's second on a 5-0 vote. Mayor Pro Tem McCracken and Council Member Shade were off the dais.**
30. Conduct a public hearing to consider comments on issues related to the limited purpose annexation of the McCarty Tract Annexation Area (Approximately 14 acres in Williamson and Travis Counties east of FM 1325 approximately 960 feet north of the intersection of FM 1325 and Shoreline Drive).  
**The public hearing was closed on Council Member Leffingwell's motion, Council Member Martinez' second on a 5-0 vote. Mayor Pro Tem McCracken and Council Member Shade were off the dais.**
31. Conduct a public hearing to consider comments on issues related to the full purpose annexation of the Sandy Loam Trail Annexation Area (Approximately 1.9 acres in Travis County north of Anderson Mill Road along Sandy Loam Trail).  
**The public hearing was closed on Council Member Cole's motion, Council Member Morrison's second on a 5-0 vote. Mayor Pro Tem McCracken and Council Member Shade were off the dais.**
32. Conduct a public hearing to consider comments on issues related to the full purpose annexation of TSM Ventures Annexation Area (Approximately 23 acres in eastern Travis County southwest of the intersection of Parmer Lane and State Highway 130).  
**The public hearing was closed on Council Member Leffingwell's motion, Council Member Martinez' second on a 5-0 vote. Mayor Pro Tem McCracken and Council Member Shade were off the dais.**
33. Conduct a public hearing to consider comments on issues related to the full purpose annexation of the Bunny Run Annexation Area (Approximately 6 acres in Travis County south of the intersection of Bunny Run and Live Oak Drive).  
**The public hearing was closed on Council Member Martinez' motion, Council Member Leffingwell's second on a 5-0 vote. Mayor Pro Tem McCracken and Council Member Shade were off the dais.**

34. Conduct a public hearing to consider comments on issues related to the full purpose annexation of the Anderson Mill Road & U.S. 183 Annexation Area (Approximately 74 acres in Williamson County northwest of the intersection of Anderson Mill Road and US 183).  
This item was postponed to October 23, 2008 on Council Member Cole's motion, Council Member Morrison's second on a 5-0 vote. Mayor Pro Tem McCracken and Council Member Shade were off the dais.

Mayor Wynn adjourned the meeting at 6:14 p.m. without objection.

The minutes for the Regular meeting of October 2, 2008 were approved on this the 16th day of October 2008 on Mayor Pro Tem McCracken's motion, Mayor Wynn's second on a 6-0 vote. Council Member Leffingwell voted nay.